

Testimony Regarding House Bills 5089 and 5090
House Committee on Health Policy
Representative Gail Haines, Chair

Submitted by
Jennifer McKay, Policy Specialist, Tip of the Mitt Watershed Council
Email: jenniferm@watershedcouncil.org
Phone: 231-347-1181
April 26, 2012

Introduction

Thank you for the opportunity to provide testimony regarding House Bills 5089 and 5090.

I am pleased to submit testimony on behalf of the board, staff, and over 2,100 members of the Tip of the Mitt Watershed Council.

The Watershed Council, founded in 1979, will celebrate its 33rd anniversary in 2012. The Watershed Council has more than 2,100 individual, business, and organizational members and assists and advises full-time and seasonal residents, lake associations, policy makers, and businesses in Antrim, Charlevoix, Cheboygan, and Emmet Counties and throughout the State and Great Lakes Basin. We work to maintain the environmental integrity and economic and aesthetic values of lakes, streams, wetlands, and ground water. We offer comprehensive water resource protection programs, diverse education programming, technical and consultation services, preparation and implementation of watershed management plans and programs, and serve on numerous local and statewide resource management advisory committees.

The Problem of Improper Disposal of Pharmaceuticals

There has been a growing concern about the effects of medicines in our waters. So how do we dispose of medications we no longer need? Our choices in the past have been to leave them in the medicine cabinet, flush them, or throw them in the trash. There are problems with all of these options.

Many studies in the last ten years have detected pharmaceutical compounds in treated wastewater effluent, rivers, lakes, and ground water. According to the USGS, over 80% of waterways tested in the United States show traces of common medications such as acetaminophen, hormones, blood pressure medicine, codeine, and antibiotics. The continuous exposure to low levels of pharmaceuticals can harm aquatic communities.

Additionally, an Associated Press five-month investigation concludes a vast array of pharmaceuticals have been found in drinking water supplies of at least 41 million

Americans. At current levels, pharmaceutical residues are unlikely to pose an immediate risk to human health, but the long-term consequences of individual chemicals, and combinations of chemicals, are unknown, especially as concentrations rise.

Proper disposal of unwanted medicines is also a public safety issue. Keeping medicines around the home can lead to possible poisoning from accidental ingestion, particularly among young children and pets, or illegal use or theft. When unused or expired prescription drugs sit in the medicine cabinet, they become too easily available and appealing to potential drug abusers, especially young adults and youth. According to a National Survey on Drug Use and Health, persons between the ages of 12 and 17 abuse prescription drugs more than cocaine, heroin, and methamphetamine combined and prescription drug abuse is second only to marijuana use. Michigan has one of the highest rates of teen prescription drug abuse in the nation. A study by The White House Office of National Drug Control Policy found that an astounding 12% of teens in Michigan use prescription drugs recreationally, much higher than the 7% national average.

Additionally, medications left unattended can have tragic consequences. Among people aged 35–54 years, unintentional poisoning surpassed motor-vehicle crashes as the leading cause of unintentional injury death in 2005. Among the deaths attributed to drugs, the most common drug categories are cocaine, heroin, and a type of prescription drug called opioid painkillers such as oxycodone (Oxycotin) and hydrocodone (Vicodin). Furthermore, each year in the United States, more than 71,000 children aged 18 and younger are seen in emergency rooms for unintentional overdoses of prescription and over-the-counter drugs

Properly getting rid of unused medicines reduces the risk that prescriptions will be mishandled and end up on the street. In an effort to prevent contamination of water resources and protect the health of citizens, many cities and counties have developed collection programs for their citizens to dispose of unneeded medicines.

Our Involvement with a Community Collection Program for Pharmaceuticals

The Tip of the Mitt Watershed Council has been working in Antrim, Charlevoix, Cheboygan, and Emmet Counties with several partners to organize pharmaceutical collection days, education materials, and collection boxes.

Since 2008, Tip of the Mitt Watershed Council has been working as a key partner in the development of the Prescription and Over-the-Counter Drug Drop-Off Program or POD Program. The POD Program includes community collection events in Emmet, Antrim, and Charlevoix Counties. The POD Program also includes 16 permanent collection drop boxes at law enforcement agencies in Antrim, Charlevoix, Cheboygan, and Emmet Counties. The Community Collection events are available

periodically in Emmet, Charlevoix, and Antrim Counties. This provides a secure, convenient, and environmentally sound option for the disposal of unused and unwanted household medications. Residents may safely dispose of prescription, over-the-counter pharmaceuticals, and personal care products for free. Controlled substances are accepted at the events and at all collection boxes. The POD Boxes are available for use 24 a day, 7 days a week, 365 days a year and have been placed at multiple locations throughout the counties to make proper disposal accessible as possible and easy for residents to use.

Through our community collection and disposal program, we have collected over 1,900 pounds of pharmaceuticals in just 3 years, including over 150 pounds of controlled substances. These numbers do not include what has been collected at any of the permanent collection boxes as they were just installed during 2011 and the first disposal of the collected materials has not occurred. However, law enforcement agencies are continuously indicating that the boxes are used on a regular basis; many were used the first day they were installed; and the amount of pharmaceuticals and personal care products being collected is substantial.

The Future for Pharmaceutical Disposal

Given our substantial efforts towards proper pharmaceutical disposal, we support programs that would assist in achieving greater involvement by the public in properly disposing of unwanted and unused medications. Therefore, Tip of the Mitt Watershed Council supports House Bill 5089 and 5090 to create the Program for Utilization of Unused Prescription Drugs. We held a collection event just this week and I can guarantee that there are significant quantities of medications that are dropped off that can be reused. Because of current regulations, we have to dispose of medicines that are individually packaged and not expired rather than allowing individuals in need access to them. While our goal is to get the drugs out of our water ways and off the streets, we also witness first-hand the waste that occurs due to current regulations. There are people in need of the medications and those that cannot afford them and we are disposing of them. We disposed of hundreds and hundreds of dollars worth of medicines that could have been used by those in need. These bills are a good first step to reducing greater quantities of pharmaceuticals and personal care products from entering Michigan's surface, ground, and drinking waters, as well as supporting law enforcement's efforts to keep these drugs out of the hands of people who will sell them, abuse them, and commit crimes while under their influence, but while also providing a means of assisting those in need of medications.

However, we believe that modifications need to be made to the bills. First and foremost, funding for proper disposal needs to be included. As written, participating pharmacies would have to find ways to legally dispose of all returned medications at their own expense. This can be quite an expense, especially for the smaller, family-

owned pharmacies. Without funding, it is unlikely that pharmacies and other entities will want to participate in the program.

We would recommend the development of producer-funded pharmaceutical take-back program to require manufacturers and brand owners of to participate in a certified pharmaceuticals stewardship program. This would alleviate much of the undue burden that would be placed upon participating pharmacies, health professionals, or charitable clinics.

Furthermore, we would also encourage inclusion of language that would help address proper disposal of controlled substances. Additionally, the program should be applicable to community collections that are occurring throughout the state. As previously mentioned, we recently accepted a significant amount of pharmaceuticals that could have been recycled and donated to those who do not have insurance or cannot afford the medications. The bill should provide assistance and funding to community collection programs such as our POD Program. There are already many highly successful community collection programs that could be enhanced with such an addition.

Conclusion

The long-term sustainable solution to this complex problem requires collaboration among state and local governments, law enforcement, the healthcare sector, the pharmaceutical industry, and the general public. Together, we can develop a sustainable program that addresses the life cycle of these contaminants and aims to develop a cost effective collection system for managing unused pharmaceuticals, while ensuring the costs and responsibility for these programs does not fall entirely to taxpayers and local entities with limited resources.

Ultimately, we need a comprehensive statewide program that addresses the concerns above including long-term funding for disposal of pharmaceuticals, controlled substances, and community collection programs. In doing so, we can reduce avoidable poisoning of both children and adults; prevent intentional misuse of unwanted prescription drugs, especially by teenagers; and protect water quality, fish, and other aquatic species.

On behalf of the board, staff, and members of Tip of the Mitt Watershed Council, thank you for the opportunity to share these thoughts with you.